

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PLUMBERS AND PIPEFITTERS LOCAL UNION	:	
NO. 74 ANNUITY FUND, et al.	:	
	:	
Plaintiffs	:	Civil Action No. 07- 94(JJF)
	:	
v.	:	
	:	
TRI-STATE TECHNOLOGIES, INC.	:	
	:	
Defendant	:	

REQUEST TO ENTER DEFAULT PURSUANT TO F.R.C.P. 55(a)

You will please enter a default on Defendant, Tri-State Technologies, Inc. ("Company" or "Defendant"), for its failure to plead or otherwise defend the Complaint filed on February 21, 2007 as provided in Rule 55(a) of the Federal Rules of Civil Procedure as appears in the attached declaration of Rick S. Miller, Esquire.

Respectfully submitted,

FERRY, JOSEPH & PEARCE, P.A.

By: /s/ Rick S. Miller
RICK S. MILLER (#3418)
Ferry, Joseph & Pearce, P.A.
824 Market St., Suite 904
P.O. Box 1351
Wilmington, DE 19899
(302) 575-1555

Date: March 20, 2007

OF COUNSEL:
SANFORD G. ROSENTHAL
The Penn Mutual Towers, 16th Floor
510 Walnut Street
Philadelphia, PA 19106
(215) 351-0611

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PLUMBERS AND PIPEFITTERS LOCAL UNION	:	
NO. 74 ANNUITY FUND, et al.	:	
	:	
Plaintiffs	:	Civil Action No. 07- 94(JFF)
	:	
v.	:	
	:	
TRI-STATE TECHNOLOGIES, INC.	:	
	:	
Defendant	:	

DECLARATION OF RICK S. MILLER FOR ENTRY OF DEFAULT

RICK S. MILLER, Esquire, declares and states as follows:

1. I am the attorney for the Plaintiffs in the above-entitled action.
2. The Complaint and Summons in this action were served on Tri-State Technologies, Inc. on February 21, 2007 at its office located at 300 Carson Drive, Bear, DE by Denorris Britt, Process Server, who served Taylor Pourel, the person in charge of Defendant's office, as appears from the Affidavit of Service of the Complaint which has been duly docketed with the Court.
3. The time in which the Defendant may answer or otherwise move as to the Complaint has expired.
4. The Defendant has not answered or otherwise moved and the time for Defendant to answer or otherwise move has not been extended.
5. Inasmuch as the Company is a corporation, it is not in the military service.

6. Defendant is neither an infant nor an incompetent person.

I declare under penalty of perjury in accordance with 28 U.S.C. §1746 that the foregoing is true and correct to the best of my knowledge, information and belief

Date: March 20, 2007

/s/ Rick S. Miller
RICK S. MILLER, ESQUIRE (#3418)

CERTIFICATE OF SERVICE

I, Rick S. Miller, Esquire, state under penalty of perjury that I caused a copy of the foregoing Request to Clerk to Enter Default Pursuant to F.R.C.P. 55(a) to be served via first class mail, postage prepaid on the date and to the address below:

Tri-State Technologies, Inc.
300 Carson Drive
Bear, DE 19701

Date: March 20, 2007

/s/ Rick S. Miller
RICK S. MILLER, ESQUIRE (#3418)

THIS DOCUMENT HAS BEEN ELECTRONICALLY FILED AND IS AVAILABLE FOR
VIEWING AND DOWNLOADING FROM THE ECF SYSTEM